

From: John A. Petaccio
President of Tri-State Paper, Inc.
149 E. Church Street
Blackwood, NJ 08012

To: Judge Patricia M. Mayer
c/o: The Gateway Building
201 Penn Street, 4th Floor
Reading, PA 19601
re: Case Number 23-13237-pmm; Doc. 263-5 (Tri-State Paper, Inc., Debtor)
Date: August 23, 2024

FILED
AUG 26 2024
TIMOTHY McGRATH, CLERK
SK DEP CLERK

Dear Judge Mayer:

Your honor, attached to this letter are:

1. "First and Final Application for Compensation and Reimbursement of Expenses of Cibik Law, p.C. as Attorney for the Debtor for the Period of October 9, 2023, through August 2, 2024" ("Attachment Number 1"), and
2. The "Trustee Plan Payment Schedule" ("Attachment Number 2")

I am writing this letter to dispute the unreasonably high fees of my attorney and the unconscionably high fees of the Trustee as referenced by the attachments Numbers 1 and 2. When I first met with my attorney, Mr. Michael A. Cibik, Esq., I paid him \$40,000.00 which I believed to be the total cost of his representing Tri-State Paper, Inc. ("T.P.I.") in the present bankruptcy proceeding as the entire fee for his services. He did not inform me that there would be additional fees for his legal services above the \$40,000.00 payment. I was also not informed of any monthly trustee fees as submitted in "Attachment Number 2." When I spoke with Mr. Cibik about my concerns, he said I would owe him an additional \$70,000.00, but when I read the "Attachment Number 1," I saw that he wanted an additional \$80,915.00 (\$120,915.00 less the initial payment of \$40,000.00).

The attached Statement Number 2, outlining the monthly trustee's fees seem to be excessive, unreasonable and unconscionable, since the monthly trustee's fees increase by \$2500.00/month after every 3rd month with a final trustee's payment of over 2 million dollars due on April 15, 2025. T.P.I. has not had any earnings since October, 2023 due to prior employees' theft and forging my signature on T.P.I.'s checks, about which I notified the police, the F.B.I. and the City District Attorney. None of the authorities I contacted did anything about these crimes against my business. I believe the trustee's fees are unreasonable, unconscionable and excessive. It seems I am being taken advantage of at every turn.

Prior to the said bankruptcy filing on October 27, 2023, I inherited all the stock of T.P.I. when my father, Justino Petaccio, died on April 9, 2023. I encountered all kinds of problems with employees stealing inventory and forging my name on Company checks.

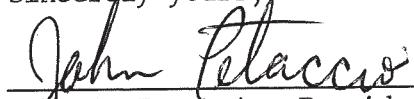
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Continuation of letter to Judge Mayer

I had no prior experience running a business such as T.P.I., and I mistakenly relied on untrustworthy employees to help run my business, naively believing that those employees were honorable. In addition to problems with employees, the roof of the building was damaged in a storm, and part of the roof collapsed causing flooding and extensive damage and losses to the Company's inventory for resale. This was another reason for filing bankruptcy. The damage to the roof of the building at 4500 N. 3rd Street, Philadelphia, PA, occurred in September, 2023.

I am at my wit's end and don't know where to turn. Can you help me in these matters? Thank you for any assistance you can give.

Sincerely yours,


John A. Petaccio
John A. Petaccio, President
for Tr-State Paper, Inc., Debtor

Date: August 23, 2024

ATTACHMENT 1

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA

Tri-State Paper, Inc.

Debtor.

Case No. 24-13237-PMM
Chapter 11

First and Final Application for Compensation and Reimbursement of Expenses of Cibik Law, P.C. as Attorney for the Debtor for the Period of October 9, 2023, through August 2, 2024

Applicant Cibik Law, P.C., attorney for Debtor Tri-State Paper, Inc., applies for an award of compensation and reimbursement of actual, necessary expenses under Fed R. Bankr. P. 2016, and represents as follows:

A. Preliminary Statement

1. The Applicant is the attorney for Debtor Tri-State Paper, Inc.
2. All services rendered and expenses incurred for which compensation or reimbursement is requested were performed or incurred for or on behalf of the Debtor.
3. The services described in this Application are actual, necessary services and the compensation requested for those services is reasonable.
4. The expenses described in this Application are actual, necessary expenses.
5. Before filing this case, the Debtor paid the Applicant a retainer in the amount of \$40,000.00.
6. The Debtor incurred pre-petition fees and expenses in the amount of \$21,173.00, which the Applicant applied against the retainer on the day the case was filed.
7. The Applicant is currently holding the remaining \$18,827.00 in its escrow/trust account.

22. The following attorneys are billing for the current period:

Name	Admitted	Rate	Hours	Total
Michael A. Cibik	1976	\$750.00	55.80	\$41,850.00
Mike Assad	2021	\$350.00	225.90	\$79,065.00
Total			281.70	\$120,915.00

23. The following paralegals are billing for the current period:

Name	Rate	Hours	Total
Iesha Reid	\$200.00	2.20	\$440.00
Nancy Matteis	\$200.00	0.50	\$100.00
Total		2.70	\$540.00

24. Michael A. Cibik was admitted to practice law in 1976. He is a former chapter 7 trustee, is certified as a consumer bankruptcy specialist by the American Board of Certification, and has represented over 15,000 debtors.

25. Mike Assad was admitted to practice law in Pennsylvania in 2021 and New Jersey in 2023. He is admitted to practice before bankruptcy courts in the Eastern, Middle, and Western districts of Pennsylvania and in New Jersey. He is a member of the local bankruptcy rules committee in the Eastern District, serves as the Third Circuit leader for the National Association of Consumer Bankruptcy Attorneys, and has lectured for the Pennsylvania Bar Institute. Mr. Assad also has extensive experience in public affairs, which includes serving as an elected official for seven years, working for the president of the New Jersey Senate, and participating in legislative advocacy efforts at every level of government.

ATTACHMENT 2

Trustee Plan Payment Schedule

Month	Due Date	Payment Amount
1	May 15, 2024	\$2,500.00
2	June 15, 2024	\$2,500.00
3	July 15, 2024	\$2,500.00
4	August 15, 2024	\$5,000.00
5	September 15, 2024	\$5,000.00
6	October 15, 2024	\$5,000.00
7	November 15, 2024	\$7,500.00
8	December 15, 2024	\$7,500.00
9	January 15, 2025	\$7,500.00
10	February 15, 2025	\$10,000.00
11	March 15, 2025	\$10,000.00
12	April 15, 2025	\$2,200,967.64